

CITY COUNCIL MEETING
December 15, 2003

The City Council of the City of Council Bluffs, Iowa, met in a regular session at 7:00 p.m., on above date in Council Chambers, City Hall. The meeting was called to order by Honorable Mayor, Thomas P. Hanafan. Council Members present: Belt, Pavich, Primmer, Tobias, Walsh. Staff present: City Attorney, Dick Wade and Deputy City Clerk, Marcia Worden.

Motion by Walsh, second by Pavich, to approve minutes of previous Council Meeting held November 24, 2003, approve the agenda and the tape recording of this proceeding be incorporated into official minutes. Ayes: 5.

Held Public Hearing to approve the plans, specifications, form of contract and cost estimate for the US 275 Interceptor Sewer-Phase I FY04-05G and authorizing the City Clerk to advertise for bids. Motion by Pavich, second by Primmer, to adopt Resolution approving same. Ayes: 4.

Held Public Hearing to approve the plans, specifications, form of contract and cost estimate for the Tree Streets Neighborhood Infrastructure Rehab. Phase II FY04-05E and authorizing the City Clerk to advertise for bids. Motion by Pavich, second by Walsh, to adopt Resolution approving same. Ayes: 4.

Held Public Hearing to institute proceedings to take additional action for the issuance of \$5,620,000 General Obligation Bonds and Resolution directing the advertisement for sale of \$5,620,000 General Obligation Bonds. Motion by Walsh, second by Primmer, to adopt both Resolutions approving same. Ayes: 4.

Motion by Walsh, second by Pavich, to pass to 3rd consideration an Ordinance amending Title 3 “Business Regulations and Licenses” of the 2000 Municipal Code, by repealing Chapter 3.12, “Alarm Systems”, in its entirety, and by enacting a new Chapter 3.12, to be entitled “Alarm Systems”. Ayes: 4.

Motion by Walsh, second by Pavich, to pass into law an Ordinance amending Chapter 4.20 “Animal Control” of the 2000 Municipal Code, by adding a new Section 4.20.279 entitled “Hobby Breeder”. Ayes: 3. Pavich, Primmer, Walsh. Nays: 1. Tobias.

Motion by Pavich, second by Primmer, to pass into law an Ordinance amending Chapter 2.08 “Schedule of Fees” of the 2000 Municipal Code, by repealing Section 2.08.040 “Fees and charges authorized in Title 4” and by enacting a new Section 2.08.040 “Fees and charges authorized in Title 4”. Ayes: 4.

Motion by Walsh, second by Tobias, to adopt Resolution authorizing the Mayor to execute the Order Assessing Penalty for Second Violation against Kwik Shop #527, for violating the State’s Tobacco Laws. Ayes: 4.

Motion by Pavich, second by Primmer, to adopt Resolution authorizing the Mayor and City Clerk to execute IDOT Addendum No. 2003-R-004A in connection with the East Manawa Drive Project. Ayes: 4.

Motion by Walsh, second by Pavich, to adopt Resolution of intent to grant easements to MidAmerican Energy in connection with the power line extension for the city pump stations located on River Road and on 23rd Avenue and authorizing the City Clerk to publish notice and setting a Public Hearing for 7:00 p.m., April 21, 2003. Ayes: 4.

Motion by Pavich, second by Primmer, to adopt Resolution authorizing the Director of Finance & Personnel to complete the IPERS questionnaire and indicating that the City of Council Bluffs does not desire to provide both IPERS and Social Security coverage for part-time elected officials. Ayes: 4.

Motion by Walsh, second by Primmer, to receive and file items 8A, 8C, 8D and 8E. A. City Clerk's Monthly Report – March 2003. C. Six Notices of Right of Redemption. D. 911 Communication Center – February 28, 2003. E. Council Bluffs Police Department – Annual Report, 2002. Ayes: 4.

Motion by Walsh, second by Pavich, to receive and file item 8B. B. Five Notices of Claims. Ayes: 3. Pavich, Tobias, Walsh. Abstain: 1. Primmer.

Motion by Walsh second by Primmer, to approve applications for permits and cancellations from the following: CLASS "BC" BEER AND SUNDAY SALES: 1. Casey's Marketing Co., d/b/a, Casey's General Store #2284, 1030 W.S. Omaha Bridge Road. 2. Riteway Oil and Gas Co. Inc., d/b/a, Texaco Speede Mart, 3624 9th Avenue. 3. Modlin Sports, Inc., d/b/a, Woods Sporting Goods, 806 W.S. Omaha Bridge Road. CLASS "BW" BEER, WINE PERMIT: 1. Horizon Restaurants, Inc., d/b/a, Lansky's, 1131 North Broadway. CLASS "LB" LIQUOR LICENSE & SUNDAY SALES: 1. Kinseth Hotel Corporation, d/b/a, Best Western Frontier Motor Lodge, 2216 27th Avenue. CLASS "C" LIQUOR LICENSE & SUNDAY SALES: 1. GMRI Inc., d/b/a, Red Lobster #779, 3040 Dial Drive. CIGARETTE PERMIT: 1. Lily Inc., d/b/a, Biggs, 154 West Broadway. Ayes: 4.

Heard Ann Lyon, 420 South 8th Street, in regards to a claim.

Motion by Primmer, second by Walsh, to adjourn. Ayes: 4.

The tape recording of this proceeding though not transcribed, is part of the record of each respective decision action of the Council. The tape recording of this proceeding is incorporated into these official minutes of this Council Meeting as if they were transcribed herein.

/s/ Thomas P. Hanafan
Mayor

Attest:/s/_____
Marcia L. Worden Deputy City Clerk